

RECEIVED

OCT 28 2005

PCT SPECIAL  
PROGRAMS OFFICE

INTELLECTUAL PROPERTY LAW

PATENT TRADEMARK  
AND COPYRIGHT LAWTEL. (216) 771-3800  
FAX. (216) 771-3804

e-mail: dphochberg@aol.com

**D. PETER HOCHBERG CO., L.P.A**

ATTORNEYS AT LAW

1940 EAST 6TH STREET - 6TH FLOOR  
CLEVELAND, OHIO 44114D. PETER HOCHBERG\*  
SEAN MELLINO  
KATHERINE R. VIEYRAJAMES A. RICH\*\*\*  
IAN M. SINGER\*\*\*

OF COUNSEL

\* ALSO ADMITTED IN  
VIRGINIA AND NEW YORK

\*\* ADMITTED IN VIRGINIA ONLY

\*\*\* ADMITTED IN NEW YORK ONLY

October 28, 2005

**Via fax only: 1 (571) 273-0419 - 11 pages**PCT Help Desk  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Seibertz et al. U.S. Patent Appln. 10/517,093 filed December 6, 2004  
FILM-SHAPED, DISINTEGRATABLE PREPARATIONS FOR  
ACTIVE SUBSTANCE RELEASE AND PROCESSES FOR THE  
PRODUCTION THEREOF (per Preliminary Amendment on filing of application)  
Our Ref. R00953US (#90568)

Dear Sir or Madam:

Attached is a copy of the official Filing Receipt as mailed 05/05/2005. Three portions of the Filing Receipt contain errors, namely: 1) the listing of the Applicant(s) is incomplete, 2) the listing of attorneys under the section "Power of Attorney" is incomplete, and 3) the title should be as presented in the Preliminary Amendment filed with the application. The corrections are noted on the attached copy and discussed below.

The proper inventors are listed below and are substantiated by the attached copy of the "Combined Declaration and Power of Attorney" that was faxed to Ms. Vonda Wallace on April 29, 2005 for this application:

Applicants: Frank Seibertz ✓  
Christian von Falkenhausen ✓  
Markus Krumme ✓

The attorneys listed in the "Combined Declaration and Power of Attorney" at page 3 as faxed to Ms. Wallace are:

Power of Attorney:	D. Peter Hochberg	Reg. No. 24,603
	Sean Mellino	Reg. No. 48,817
	Katherine R. Vieyra	Reg. No. 47,155
	James A. Rich.	Reg. No. 25,519

PCT Help Desk

2

October 28, 2005

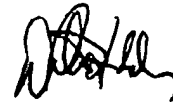
The proper title of the application was amended in the Preliminary Amendment to be as noted above and repeated below:

**FILM-SHAPED DISINTEGRABLE PREPARATIONS FOR  
ACTIVE SUBSTANCE RELEASE AND PROCESSES FOR THE  
PRODUCTION THEREOF**

and copies of the relevant pages are attached hereto.

Correction of the records of the USPTO is respectfully requested, and we look forward to receiving a corrected Filing Receipt in due course.

Respectfully submitted,



D. Peter Hochberg

DPH/ck  
Enc.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/517,093	12/06/2004	1615	2330	RO0953US(#90568)		82	6

CONFIRMATION NO. 1122

D Peter Hochberg  
Baker Building  
6th Floor  
1940 East 6th Street  
Cleveland, OH 44114

## FILING RECEIPT



\*OC000000015919493\*

Date Mailed: 05/05/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Frank Seibertz, Rheinbrohl, GERMANY;

Frank Seibertz, Rheinbrohl, GERMANY  
Christian von Falkenhausen, Meckenheim, GERMANY  
Markus Krumme, Randolph, NEW JERSEY

## Power of Attorney:

D Hochberg-24603

D. Peter Hochberg  
Sean Mellino  
Katherine R. Vieyra  
James A. Rich.

Reg. No. 24,603  
Reg. No. 48,817  
Reg. No. 47,155  
Reg. No. 25,519

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/04806 05/08/2003

## Foreign Applications

GERMANY 102 24 607.6 06/04/2002

Projected Publication Date: 08/11/2005

Non-Publication Request: No

Early Publication Request: No

Title →

FILM-SHAPED, DISINTEGRATABLE PREPARATIONS FOR  
ACTIVE SUBSTANCE RELEASE AND PROCESSES FOR THE  
PRODUCTION THEREOF

Film-shaped, dissolvable preparations for active substance release and method for the production

thereof

**Preliminary Class**

**424**

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Attorney Docket No.

**COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one applicable item below)

- ☐ original  
☐ design

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check any of next two items and check appropriate one of last three items.

- ☒ national stage of PCT  
☐ supplemental

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- ☐ divisional  
☐ continuation  
☐ continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION****FILM-SHAPED, DISINTEGRATABLE PREPARATIONS FOR ACTIVE SUBSTANCE  
RELEASE AND PROCESS FOR THE PRODUCTION THEREOF****SPECIFICATION IDENTIFICATION**

the specification of which: (complete (a), (b), or (c))

- (a) ☐ is attached hereto.  
(b) ☐ was filed on \_\_\_\_\_ as ☐ Serial No. \_\_\_\_\_ or  
☐ Express Mail No. \_\_\_\_\_, as Serial No. \_\_\_\_\_ not yet known  
and was amended on \_\_\_\_\_ (if applicable).

(c) (X) was described and claimed in PCT International Application  
 No. PCT/EP 03/004806 filed on May 8<sup>th</sup>, 2003  
 and as amended under PCT Article 19 on (if any).

### ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. Sec. 1.56(a).

( ) In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) ( ) no such applications have been filed.

(e) (X) such applications have been filed as follows

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

### EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 37 USC 119
			( ) YES NO ( )
			( ) YES NO ( )

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Germany      Application No. 102 24 607.6      filed June 4<sup>th</sup>, 2002  
PCT      Application No. PCT/EP 03/04806      filed May 8<sup>th</sup>, 2003

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint D. Peter Hochberg, Reg. No. 24,603, Sean Mellino, Reg. No. 48,817, Katherine R. Vieyra, Reg. No. 47,155, and James A. Rich, Reg. No. 25,519, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:

D. Peter Hochberg Co., L.P.A.  
The Baker Building - 6<sup>TH</sup> Floor  
1940 East 6th Street  
Cleveland, Ohio 44114-2294

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

D. Peter Hochberg  
(216) 771-3800

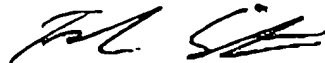
**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Full name of first inventor: **Frank SEIBERTZ**

Inventor's signature: \_\_\_\_\_



Date: 10.01.2005

Country of Citizenship: German

Residence: Arienhellerstrasse 64, 56598 Rheinbrohl, Germany

Post Office Address: Arienhellerstrasse 64, 56598 Rheinbrohl, Germany

Full name of second inventor: Dr. Christian VON FALKENHAUSEN

Inventor's signature: \_\_\_\_\_

Date: 10.01.2005

Country of Citizenship: German

Residence: Merler Ring 7, 53340 Meckenheim, Germany

Post Office Address: Merler Ring 7, 53340 Meckenheim, Germany

Full name of third inventor: Dr. Markus KRUMME

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Country of Citizenship: German

Residence: 9 Rose Way, Randolph, NJ 077869, USA

Post Office Address: 9 Rose Way, Randolph, NJ 077869, USA

CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S)  
FORM A PART OF THIS DECLARATION

- ( ) Signature for third and subsequent joint inventors. Number of pages added \_\_\_\_\_.
- ( ) Signature by administrator(trix), executor(trix) or legal representative of deceased or incapacitated inventor. Number of pages added \_\_\_\_\_.
- ( ) Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_.

\*\*\*

- ( ) Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.
- ( ) Number of pages added \_\_\_\_\_.

\*\*\*

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.

( X ) This declaration ends with this page.



Full name of second inventor: **Dr. Christian VON FALKENHAUSEN**

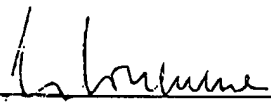
Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_ Country of Citizenship: German

Residence: Merler Ring 7, 53340 Meckenheim, Germany

Post Office Address: Merler Ring 7, 53340 Meckenheim, Germany

Full name of third inventor: **Dr. Markus KRUMME**

Inventor's signature: \_\_\_\_\_ 

Date: 10.01.2005 Country of Citizenship: German

Residence: 9 Rose Way, Randolph, NJ 077869, USA

Post Office Address: 9 Rose Way, Randolph, NJ 077869, USA

**CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S)  
FORM A PART OF THIS DECLARATION**

- ( ) Signature for third and subsequent joint inventors. Number of pages added \_\_\_\_\_.
- ( ) Signature by administrator(trix), executor(trix) or legal representative of deceased or incapacitated inventor. Number of pages added \_\_\_\_\_.
- ( ) Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_.

\*\*\*

- ( ) Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.
- ( ) Number of pages added \_\_\_\_\_.

\*\*\*

**If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.**

**( X ) This declaration ends with this page.**

## EXPRESS MAIL CERTIFICATION UNDER 37 CFR 1.10

"Express Mail" label number EV203145455USDate of deposit December 2, 2004

I hereby certify that the paper(s) identified above, and any document(s) referred to as attached hereto, is being deposited with the United States Postal Service on the date indicated in an envelope as "Express Mail Post Office to Addressee" and is addressed: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.



Sean F. Mellino

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Von Falkenhausen, Seibertz & Krumme

Serial No. :

Filing Date : Herewith

Examiner :

Group Art Unit:

Title : FILM-SHAPED, DISINTEGRATABLE  
PREPARATIONS FOR ACTIVE SUBSTANCE  
RELEASE AND PROCESSES FOR THE  
PRODUCTION THEREOF  
(as amended herein)

Attorney File : RO0953US (#90568)

Mail Stop PCT  
Commissioner for Patents  
P O Box 1450  
Alexandria, Virginia, 22313-1450

**PRELIMINARY AMENDMENT**

Dear Sir:

Please amend the above-referenced application as follows:

In the Title:

Please amend the title of the application from "FILM-SHAPED,  
DISSOLVABLE PREPARATIONS FOR ACTIVE SUBSTANCE RELEASE AND  
METHOD FOR THE PRODUCTION THEREOF" to "FILM-SHAPED,  
DISINTEGRATABLE PREPARATIONS FOR ACTIVE SUBSTANCE RELEASE  
AND PROCESSES FOR THE PRODUCTION THEREOF."